

Senate Study Bill 1022 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION/COLLEGE STUDENT
AID COMMISSION BILL)

A BILL FOR

1 An Act relating to the duties and activities of the college
2 student aid commission regarding educational programs,
3 career planning tools, and trusts; permitting the commission
4 to authorize a nonprofit foundation; and creating an
5 educational planning grant fund.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 21.2, subsection 1, Code 2011, is amended
2 by adding the following new paragraph:

3 NEW PARAGRAPH. *k.* A nonprofit foundation authorized by
4 the college student aid commission pursuant to section 261.2,
5 subsection 12.

6 Sec. 2. Section 22.1, subsection 1, Code 2011, is amended
7 to read as follows:

8 1. The term "*government body*" means this state, or
9 any county, city, township, school corporation, political
10 subdivision, tax-supported district, nonprofit corporation
11 other than a fair conducting a fair event as provided in
12 chapter 174, whose facilities or indebtedness are supported
13 in whole or in part with property tax revenue and which is
14 licensed to conduct pari-mutuel wagering pursuant to chapter
15 99D; the governing body of a drainage or levee district as
16 provided in chapter 468, including a board as defined in
17 section 468.3, regardless of how the district is organized;
18 or other entity of this state, or any branch, department,
19 board, bureau, commission, council, committee, official, or
20 officer of any of the foregoing or any employee delegated
21 the responsibility for implementing the requirements of this
22 chapter. For purposes of this chapter, a nonprofit foundation
23 authorized by the college student aid commission pursuant to
24 section 261.2, subsection 12, shall be considered a government
25 body.

26 Sec. 3. Section 261.2, subsection 3, Code 2011, is amended
27 to read as follows:

28 3. a. Develop and implement, in cooperation with the
29 state board of regents and the department of education, an
30 educational ~~program~~ programs and marketing strategies designed
31 to inform students and parents about the options available
32 for ~~financing~~ planning, preparing, and paying for a college
33 education and the need to accumulate the financial resources
34 necessary to pay for a college education. The educational
35 ~~program~~ programs shall include but not be limited to

1 distribution of informational material to public and nonpublic
2 elementary schools for distribution to parents and guardians
3 of five-year and six-year old children and administration of a
4 career planning internet-based tool.

5 b. Administer the educational planning grant fund.
6 The educational planning grant fund is created in the
7 state treasury as a separate fund under the control of the
8 commission. Moneys in the educational planning grant fund
9 shall be used for educational programs and marketing strategies
10 developed and implemented in accordance with paragraph "a".
11 The fund shall consist of moneys appropriated by the general
12 assembly and any other moneys available to and obtained
13 or accepted by the commission from the federal government
14 or private sources for placement in the fund. The moneys
15 credited to the fund are not subject to section 8.33, and
16 moneys in the fund shall not be transferred, used, obligated,
17 appropriated, or otherwise encumbered except as provided by
18 law. Notwithstanding section 12C.7, subsection 2, interest or
19 earnings on moneys deposited in the educational planning grant
20 fund shall be credited to the fund.

21 Sec. 4. Section 261.2, Code 2011, is amended by adding the
22 following new subsections:

23 NEW SUBSECTION. 11. Accept and administer trusts deemed by
24 the commission to be beneficial for Iowa students and families.

25 NEW SUBSECTION. 12. Authorize, at its discretion,
26 a nonprofit foundation acting solely for the support of
27 commission activities authorized or required pursuant to this
28 chapter. The nonprofit foundation may accept and administer
29 trusts, gifts, grants, and other bequests, contributions, or
30 donations deemed by the commission to be beneficial to Iowa
31 students and families. Notwithstanding section 633.63, the
32 commission and the nonprofit foundation may act as trustees
33 in such instances. The commission shall require that moneys
34 belonging to the nonprofit foundation be audited annually.
35 The foundation is not a state agency, shall not exercise any

1 sovereign power of the state, and the state shall not be
2 liable for any of the foundation's debts. The foundation is
3 a governmental body solely for purposes of chapter 21 and a
4 government body solely for purposes of chapter 22.

5 EXPLANATION

6 This bill requires the college student aid commission
7 to administer a career planning internet-based tool and an
8 educational planning grant fund and to accept and administer
9 trusts, and allows the commission to authorize a nonprofit
10 foundation that acts solely for the support of commission
11 activities.

12 The nonprofit foundation is authorized to accept and
13 administer trusts, gifts, grants, and other bequests,
14 contributions, or donations. The commission and the nonprofit
15 foundation may act as trustees in those instances. Moneys
16 belonging to the nonprofit foundation must be audited annually.
17 For purposes of the open meetings law, the nonprofit foundation
18 is a governmental body. For purposes of the open records
19 law, the nonprofit foundation is a government body. The bill
20 provides that the foundation is not a state agency, nor shall
21 it exercise any sovereign power of the state, and the state
22 shall not be liable for any of the foundation's debts.

23 The educational planning grant fund is created in the state
24 treasury under the control of the commission. The fund must
25 be used for educational programs and marketing strategies
26 developed and implemented by the commission. The fund consists
27 of moneys appropriated by the general assembly and any other
28 moneys available to and obtained or accepted by the commission
29 from the federal government or private sources.

30 The bill requires the commission to cooperate with the
31 department of education in developing and implementing
32 educational programs and marketing strategies designed to
33 inform students and parents about planning, preparing, and
34 paying for a college education.